



Rec'd PCT/PTO 10 FEB 1997

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RPR File No. ST94051-US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Mallet et al.
International Application No: PCT/FR95/00854
Serial No.: 08/765,026
International Filing Date: 27 June 1995

Group Art Unit:

Examiner:

For: Adenovirus Including A Gene Coding For A Superoxide Dismutase

To: The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Paula L. Dickey
(Type or print name of person mailing paper)

Paula L. Dickey
(Signature of person mailing paper)

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §§ 1.97 AND 1.98

Dear Sir:

Applicants submit herewith a list of patents and publications which Applicants believe the Examiner may consider to be material to the patentability of claims of this application and which there may be a duty to disclose in accordance with 37 CFR § 1.56.

These patents and publications were cited in the International Search Report, and have been sent to the USPTO as an Elected Office.

Publication PD is in the French language. As a concise explanation of the relevance of Publication PD as is presently understood, Applicants submit herewith: (1) the International Search Report (Appendix 1), showing the relevance found by the International Search Authority; and (2) an English language translation of Section V of the International Preliminary Examination

Report (Appendix 2), showing the relevance found by the International Preliminary Examination Authority.

While the patents and publications disclosed herein may be "material" within the meaning of 37 CFR § 1.56, Applicants' inclusion thereof in this Statement is not intended to constitute an admission that any such patent or publication is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97 (g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that the information cited is material to patentability as defined in 37 CFR § 1.56(b).

Applicants believe that the claims in the present application are patentably distinguishable over the patents and publications listed on the attached Information Disclosure Citation Form.

This Information Disclosure Statement is being filed before the first Office Action on the merits of this application and accordingly, pursuant to 37 CFR § 1.97 (b)(3), this statement requires neither a fee nor a certification.

Rhône-Poulenc Rorer Inc.
P.O. Box 5093, Mail Stop 3C43
Collegeville, PA 19426-0997
Telephone: (610) 454-3816
Facsimile: (610) 454-3808

Dated: 2/5/97

Respectfully submitted,


Martin F. Savitzky
Attorney for Applicants
Registration No: 29,699